

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION (PRTC)

OFFICIAL COMMISSION MEETING

MINUTES

DATE: July 8, 2010
TIME: 7:00 p.m.
LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811

1. CALL TO ORDER

Chairman May called the meeting to order at 7:00 p.m., with a quorum present.

2. ROLL CALL

MEMBERS PRESENT

*Richard Anderson	Virginia House of Delegates (arrived at 7:15 p.m.)
*Maureen Caddigan	Prince William County
*Wally Covington	Prince William County (arrived at 7:20 p.m.)
*Corey Hill	Department of Rail and Public Transportation
*Frank Jones, Immediate Past Chairman	City of Manassas Park
*Jerry Logan, Secretary	Spotsylvania County
*Michael May, Chairman	Prince William County
*Paul Milde, Treasurer	Stafford County
*Jackson Miller	Virginia House of Delegates
*Frank Principi	Prince William County (arrived at 7:30 p.m.)
*Gary Skinner	Spotsylvania County
*Susan Stimpson	Stafford County
*Jonathan Way, Vice Chairman	City of Manassas

ALTERNATES PRESENT

*Lorraine Lasch	Prince William County
-----------------	-----------------------

STAFF AND GENERAL PUBLIC

Gina Altis	PRTC Executive Assistant
Alyssa Brown	Assistant, Supervisor Mike May
Rick Canizales	PWC Department of Transportation

Doris Chism
Art Clark
Joyce Embrey
Althea Evans
Al Harf
Angela Horan
Robb Howell
Ryan Jones
Todd Johnson
Leon Jordan
Bob Liebbrandt
Steve MacIsaac
Eric Marx
Betsy Massie
Jennifer Mouchantaf
Paul Pitchke
Chuck Steigerwald
Dale Zehner

PRTC Dir., Customer Service & Dispatch
FIRST TRANSIT Safety & Training Mgr.
PRTC Dir., Finance & Administration
PRTC Dir., Marketing & Communications
PRTC Executive Director
PRTC Legal Counsel
FIRST TRANSIT General Manager
PRTC Special Projects Coordinator
FIRST TRANSIT Maintenance Manager
PRTC Quality Assurance Supervisor
PWC Budget & Analysis
VRE Legal Counsel
PRTC Dir., Planning & Operations
PRTC Dir., Grants & Project Management
VRE Deputy Chief Executive Officer
FIRST TRANSIT AGM-Operations
PRTC Mgr., Planning & Quality Assurance
VRE Chief Executive Officer

MEMBERS ABSENT

John Jenkins
Martin Nohe
Toddy Puller

Prince William County
Prince William County
Virginia Senate

ALTERNATES ABSENT

Ateeb Ahmad
David Awbrey
Hilda Barg
Hap Connors
Harry Crisp
Mark Dudenhefer
Brad Ellis
Darrel Feasel
Peter LaMarca
Suhas Naddoni
Hal Parrish
Benjamin Pitts
Sorine Preli
Corey Stewart
John Stirrup
William Wren

Prince William County
Department of Rail and Public Transportation
Prince William County
Spotsylvania County
Stafford County
Stafford County
City of Fredericksburg
Department of Rail and Public Transportation
City of Fredericksburg
City of Manassas
City of Manassas
Spotsylvania Virginia
Prince William County
Prince William County
Prince William County
City of Manassas Park

***Voting Member**

- | | | |
|----|----------------------|----------------------------|
| 3. | INVOCATION | Led by Vice Chairman Way. |
| 4. | PLEDGE OF ALLEGIANCE | Led by Commissioner Milde. |
| 5. | CITIZENS' TIME | No citizens came forward. |
| 6. | PRESENTATIONS | |

[FTInfo] A. First Transit General Manager Robb Howell – Employee Recognition and Operations Report.

Mr. Howell noted that the Operator-of-the-Month was unable to attend the meeting this evening and will be recognized at a future meeting.

Mr. Howell reported 12 commendations (for 12 different operators) were received during the month of June. He went on to report the accident frequency rate for the month of June is 2.06 per 100,000 miles. The year-to-date goal (1.01 per 100,000 miles) for the current fiscal year is on target. He also reported a slight increase in complaints occurred as a result of the May 10th service change, though the increase was less than what has accompanied service changes in the past. The OmniRide service year-to-date rate is 6.33 vs. 6.95 for the same period last year. The OmniLink year-to-date rate is 4.41 vs. 4.64 for the same period last year.

Mr. Howell went on to report that the Customer Satisfaction Survey is complete. Overall, the survey results are favorable.

In conclusion, Mr. Howell noted that First Transit recently received the “First Transit East Region Most Improved Transit System Safety” award.

[PRTC\Info] B. Recognition of PRTC Quality Assurance Supervisor Leon Jordan.

Chairman May recognized PRTC Quality Assurance Supervisor Leon Jordan for ten years of service with PRTC. Mr. Jordan was presented with a token of appreciation and certificate on behalf of the Commission.

- ## 7. APPROVAL OF MINUTES

RES 10-07-01 Minutes of June 3, 2010.
[PRTC]

Vice Chairman Way moved, with a second by Commissioner Milde, to approve the Minutes as presented. There was no discussion on the motion. (WAY\MILDE, WITH MAJORITY VOTE; CADDIGAN ABSTAINED)

8. AGENDA APPROVAL

RES 10-07-02 Agenda of July 8, 2010.
[PRTC]

Commissioner Caddigan moved, with a second by Commissioner Milde, to approve the Agenda as amended (Chairman May moved Item 12-B.10 – Transportation Government Reform Ideas to follow VRE Item 10-E. There was no discussion on the motion. (CADDIGAN\MILDE, UNANIMOUS)

9. CONSENT AGENDA APPROVAL

RES 10-07-03 Consent Agenda of July 8, 2010.
[PRTC]

Commissioner Caddigan moved, with a second by Commissioner Milde, to approve the Consent Agenda, as presented. (CADDIGAN\MILDE, UNANIMOUS)

RES 10-07-04 A. Treasurer's Report.
[PRTC]

Accepted the Treasurer's Report for period the ended April 30, 2010, as presented. (CADDIGAN\MILDE, UNANIMOUS)

RES 10-07-05 B. Special Recognition Awards for Finance and
[PRTC] Administration Staff.

Approved special recognition of the Finance and Administration staff for "above and beyond" efforts that occurred during the last six months of FY 2010, as presented. (CADDIGAN\MILDE, UNANIMOUS)

RES 10-07-06 C. Procurement for Acquisition and Installation of a New Gate
[PRTC] for the PRTC Transit Center Bus Yard.

Authorized the Executive Director to commence a competitive procurement for the acquisition and installation of a new gate for the PRTC Transit Center bus yard, as presented. (CADDIGAN\MILDE, UNANIMOUS)

10. VIRGINIA RAILWAY EXPRESS (VRE)

[VRE\Info] A. Operations Board Meeting Agenda and Minutes of June 18,
2010. There were no comments.

[VRE\Info]

B. Chief Executive Officer's Report (6-10).

Mr. Zehner reported the average daily ridership for June was 17,523 (the fifth consecutive month VRE has carried over 17,000 riders per day). He went on to report that VRE's on-time performance averaged 77% system-wide for the month of June. He attributed the decrease in on-time performance to track construction south of Alexandria and the replacement of a bridge to allow for a third track to be installed between Alexandria and Franconia/Springfield resulting in train delays on both the CSXT and Norfolk Southern rail lines. Train delays also occurred on the Fredericksburg side due to "heat" restrictions imposed by CSXT.

Continuing, Mr. Zehner reported that VRE's new commuter rail operator Keolis Rail Services America conducted a "dress rehearsal" on Monday, July 5th where they operated a full service schedule on both lines with no customers (Keolis will assume the VRE service on Monday, July 12). He went on to report that the Federal Railroad Administration (FRA) inspectors will ride every VRE train during the first week of operation and representatives from the CSX Corporation and Norfolk Southern will also ride.

Moving to another subject, Mr. Zehner reported that the first new locomotive arrived at the Broad Run VRE Station last week. The locomotive will be placed into service following "testing" over the next three weeks. He announced that a "ribbon cutting ceremony" for VRE's new locomotive is scheduled on Friday, July 30 at 10:30 a.m. in Alexandria, Virginia. Senator Webb is the "special guest speaker".

Commissioner Milde asked if Elaine McConnell will be present at the July 30th ribbon cutting ceremony. Mr. Zehner replied "no," and explained that Ms. McConnell will be present at a separate ceremony to be held in August.

In conclusion, Mr. Zehner announced that on Monday, July 19, the new express train will begin service on the Fredericksburg line. The train will be a three-car train set that will leave at 5:05 a.m. from Fredericksburg.

[Commissioner Anderson arrived at 7:15 p.m. during Item 10-B – VRE CEO Report and was absent for the vote on Items 7, 8, 9, and 9A-C]

RES 10-07-07

C. Extend Amended Operating/Access Agreement with CSXT.

[VRE]

Commissioner Caddigan moved, with a second by Vice Chairman Way, to authorize the VRE Chief Executive Officer to execute an extension of the existing amended Operating/Access Agreement through January 31, 2011, to allow more time for negotiation of a longer-term agreement. Agreement was scheduled to end on July 31, 2010. There was no discussion on the motion. (CADDIGAN\WAY, UNANIMOUS)

RES 10-07-08 D. Extend Amended Operating/Access Agreement with
[VRE] Norfolk Southern (NS).

Commissioner Skinner moved, with a second by Commissioner Jones, to authorize the VRE Chief Executive Officer to execute an extension of the amended Operating/Access Agreement through January 31, 2011, to allow more time for negotiation of a longer-term agreement. Agreement was scheduled to end on July 31, 2010. There was no discussion on the motion. (SKINNERJONES, UNANIMOUS)

RES 10-07-09 E. Modify the Contract for New Locomotive Purchase.
[VRE]

Commissioner Caddigan moved, with a second by Commissioner Milde, to authorize the VRE Chief Executive Officer to modify the contract with Motive Power, Inc. for the purchase of locomotives increasing the base order from fifteen to nineteen locomotives and increasing the contract value to \$13,218,128, for a total contract value not to exceed \$73,798,120 and modify the contract so the base order can be increased to twenty locomotives (increasing the contract value to \$17,318,128), for a total contract value not to exceed \$77,898,120 if additional funding for the 20th locomotive is received. There was no discussion on the motion. (CADDIGANMILDE, UNANIMOUS)

RES 10-07-10 Transportation Government Reform Ideas.
[PRTC]

Chairman May moved this item from the Executive Director's Time to follow VRE Item 10-E.

Mr. Harf noted that a "blue-sheeted" second set of ideas, namely ideas for possible changes to the Federal Code, is before the Commission. Two of the Federal code changes warrant a reaction from PRTC, in PRTC management's judgment: 1) a desire to change the Passenger Rail Investment and Improvement Act (PRIIA) to eliminate the obligation for states to pay for all intercity regional passenger train subsidies by 2013 (which PRTC management recommends supporting); and 2) a desire to amend the "Brooks Act," which is Federal legislation that prohibits consideration of price as a criterion in the selection and procurement of architectural/engineering services (which PRTC management also recommends supporting). Under current Federal law, the Brooks Act requires that proposals received for architectural/engineering services be evaluated solely on technical grounds. The Federal Code change amendment would permit consideration of price as an evaluation criterion.

Continuing, Mr. Harf explained that State Code change idea #108 calls for consideration of state ownership of commuter rail operations. PRTC's position supports the proposed examination so long as it's conducted with all VRE member jurisdictions/two parent Commissions fully involved throughout – from the development of the scope, in the course of the analysis, evaluation, and the recommendations. While this would be a challenging

examination owing to the complexities associated with VRE's funding, governance, and investments to-date (as well as the importance that VRE's sponsors place on service quality and responsiveness to riders' concerns and desires), Mr. Harf observed that an expression of support for the examination is still warranted in PRTC management's view.

A lengthy discussion about idea #108 concluded with the PRTC Board opposing the proposed examination because the current governance structure works well. The VRE's local government sponsors have a substantial investment in VRE and have developed a governance structure that gives them a voice commensurate with their level of investment and the ability to ensure continuing quality service. The governance structure also provides for a state voice, reflecting the fact that the state is an important contributor.

Vice Chairman Way moved, with a second by Commissioner Milde, to authorize the transmittal of PRTC's reactions to Governor McDonnell's "transportation governmental reform Code change" ideas with an amended position on idea #108 expressing PRTC's opposition. There was no further discussion on the motion. (WAY\MILDE; WITH MAJORITY VOTE, HILL ABSTAINED)

[Commissioners Covington and Principi arrived at 7:20 p.m. and 7:30 p.m., respectively, during discussion of "Transportation Government Reform Ideas" and were absent for the vote on Items 7, 8, 9, 9A-9C, 10-C, 10-D, and 10-E]

RES 10-07-11 F. Convene into Closed Meeting.
[PRTC]

Commissioner Milde moved, with a second by Commissioner Caddigan, to convene into Closed Meeting at 7:40 p.m. for the purpose of consultation with legal counsel concerning the terms and conditions of Fauquier County's potential membership in PRTC and participation in the Virginia Railway Express pursuant to Section 2.2-3711-A.7 VA Code Ann. – Legal. There was no discussion on the motion. (MILDE\CADDIGAN, UNANIMOUS)

RES 10-07-12 G. Certification of Closed Meeting.
[PRTC]

Commissioner Milde moved, with a second by Vice Chairman Way, to certify Closed Meeting at 8:00 p.m. There was no discussion on the motion. (MILDE\WAY, UNANIMOUS)

[PRTC] H. Action Items Reported Out of Closed Meeting

Chairman May noted there is nothing to report out of Closed Meeting.

11. CHAIRMAN'S TIME

- [PRTC\Info] A. Reminder – the PRTC Board will take a Recess in August, and the September PRTC Board Meeting is scheduled for Thursday, September 9, 2010.

Chairman May reminded everyone that the PRTC Board will take a “recess” in August and the September 2nd PRTC Board Meeting has been moved to Thursday, September 9, 7:00 p.m. at the PRTC Transit Center.

12. EXECUTIVE DIRECTOR'S TIME

- [PRTC\Info] A. Executive Director's (ED) Report.

Mr. Harf noted that fingerprint checking of prospective employees is now permitted effective on July 1st (be they by PRTC or First Transit), and expressed his appreciation on behalf of the Commission to Delegate Miller and Senator Puller for the instrumental roles they played in getting this Code change enacted.

Mr. Harf reported that a series of planning efforts highlighted in the ED report are currently at some stage of completion or close to completion. One of those efforts is the “route restructuring analysis of the westerly OmniRide routes,” which is an action item before the Commission later on in the Agenda.

Mr. Harf went on to report that PRTC Chairman May sent a letter to District of Columbia Mayor Adrian Fenty raising a “red flag” about a recent flurry of summonses issued by DC police to motorists stopping to pick up carpoolers (“slugs”). A response received today from Mayor Fenty asserts there has not been an increase by the Metropolitan Police Department (MPD) in the issuance of such tickets, notwithstanding press reports to the contrary. Staff-to-staff discussions about this and other downtown DC traffic issues continue with the District Department of Transportation (DDOT).

In conclusion, Mr. Harf noted that Martz National Coach Works Inc. of VA (a private for-profit commuter bus operator that operates bus services from the Fredericksburg, VA area to transport commuters to the Pentagon and Washington, D.C.) has proposed that FTA Section 5307 funding that Martz's services are now earning for the Washington, D.C. region be directed to Martz's commuter services. The proposal continues to be discussed in the Fredericksburg MPO arena and materials about the history of the discussion are provided in the ED report. Mr. Harf went on to say that Martz would need a public partner to make this possible, and that PRTC may be asked to serve in that role. While the issue is not ripe yet for Commission action, the Commission is being informed of this possibility now since it is a matter under discussion.

[PRTC\Action] B. Action Items:

RES 10-07-13 1. PRTC FY 2012 Budget Guidelines.
[PRTC]

Vice Chairman Way moved, with a second by Commissioner Jones, to adopt the FY 2012 budget guidelines. There was no discussion on the motion. (WAY\JONES, UNANIMOUS)

RES 10-07-14 2. PRTC Fuel Tax Situation – Round Two.
[PRTC]

Mr. Harf explained that at its June 3rd meeting, the PRTC Board asked management to conduct additional fact-finding and to redraft the letter highlighting concerns related to the 2.1% motor fuels tax levied on fuel sales to retailers located in PRTC's member jurisdictions to the Virginia Tax Commissioner in light of the additionally acquired information.

Vice Chairman Way observed the letter offers numerous explanations with regard to the "variances." Mr. Harf noted that the explanations are not contradictory. He went on to explain that the letter elaborates about why the variances might exist, including the likelihood that the distributors lack familiarity with the jurisdictional locations of the retailers to whom they are selling and delivering fuel to; and Spotsylvania County's newness as a PRTC member. He further explained that by offering a plausible set of explanations for the variances, PRTC is setting the stage for Taxation to fashion an appropriate audit of the distributors to determine the facts and make any necessary adjustments.

Commissioner Skinner affirmed that Spotsylvania County has encountered problems with zip codes straddling neighboring jurisdictions (e.g., retailers physically located in Spotsylvania and Stafford that have Fredericksburg in their mailing address) and noted the issue is critical for Spotsylvania as a new PRTC member. Commissioner Logan agreed the issue is critical for Spotsylvania County and needs to be resolved. He recommended that the letter be sent to Acting Tax Commissioner Burns expeditiously. He went on to note that Senator Houck has worked diligently with Spotsylvania County to rectify the zip code sales tax issue and suggested he be copied on the letter. Commissioner Skinner recommended that the letter also be sent to all the other area state legislators.

Commissioner Logan moved, with a second by Commissioner Skinner, to authorize the transmittal of a revised letter to Acting Virginia Tax Commissioner Craig Burns, with copies furnished to area state legislators, highlighting PRTC's concerns about tax collections since the tax converted to a distributor-based tax effective January 1, 2010. There was no further discussion on the motion. (LOGAN\SKINNER, UNANIMOUS)

RES 10-07-15
[PRTC]

3. OmniMatch Long Range Transportation Demand (TDM) Plan.

Commissioner Covington moved, with a second by Vice Chairman Way, to adopt the proposed long-range TDM plan as proposed and directs management to communicate this action as necessary in fulfillment of the Commission's statutory and other obligations. There was no discussion on the motion. (COVINGTON\WAY, UNANIMOUS)

RES 10-07-16
[PRTC]

4. Task Order Award to Transit Resource Center (TRC) to Manage and Provide On-Site Inspection Services during the Motor Coach Industries (MCI) Bus Overhaul Campaign.

Commissioner Caddigan moved, with a second by Commissioner Skinner, to authorize the Executive Director to award a task order to Transit Resource Center to conduct on-site inspection services during the course of the MCI bus overhaul campaign. There was no discussion on the motion. (CADDIGAN\SKINNER, UNANIMOUS)

RES 10-07-17
[PRTC]

5. Contract Award for Market Research Services to Southeastern Institute of Research, Inc.

Commissioner Covington moved, with a second by Commissioner Caddigan, to authorize the Executive Director to award a market research services task order contract to Southeastern Institute of Research, Inc. for one year, with up to nine one-year annual extensions to be awarded at PRTC management's sole discretion. There was no discussion on the motion. (COVINGTON\CADDIGAN, UNANIMOUS)

RES 10-07-18
[PRTC]

6. Concrete Pads Reconstruction Contract Award.

Commissioner Caddigan moved, with a second by Commissioner Principi, to authorize the Executive Director to award a contract to Arthur Construction in the amount of \$79,990 for concrete pad repairs in the bus storage yard, plus a 20% contingency allowance. There was no discussion on the motion. (CADDIGAN\PRINCIPI, UNANIMOUS)

RES 10-07-19
[PRTC]

7. CAD/AVL Procurement Authorization and MACRO Phase One Task Order Authorization.

Commissioner Caddigan moved, with a second by Commissioner Principi, to authorize the issuance of a task order to MACRO for phase one technical assistance in the amount of \$63,381, with a 10% contingency allowance, and further authorized the commencement of a competitive procurement for the acquisition of the CAD/AVL system. There was no discussion on the motion. (CADDIGAN\PRINCIPI, UNANIMOUS)

RES 10-07-20
[PRTC]

8. Building Security System Professional Services
Contract Award Authorization.

Commissioner Covington moved, with a second by Commissioner Caddigan, to authorize the Executive Director to award a contract to SudioJAED for the design, procurement, and installation of a keyless security system for the Transit Center in the amount of \$47,280, plus a 10% contingency allowance amounting to \$4,728 for a total expenditure of \$52,008, and further authorized the commencement of the procurement for the keyless security system returning to the Commission to seek approval to award a contract. There was no discussion on the motion. (COVINGTON\CADDIGAN, UNANIMOUS)

RES 10-07-21
[PRTC]

9. SunTrust/VRA Line of Credit/Loan Changes.

Commissioner Caddigan moved, with a second by Commissioner Jones, to approve the refinancing of interim financing issued by PRTC for purposes of financing a commuter parking lot and expansion of the bus storage yard. There was no discussion on the motion. (CADDIGAN\JONES, UNANIMOUS)

[PRTC]

10. Governmental Reform Ideas Reactions. This item
was moved to follow VRE Item 10-E.

RES 10-07-22
[PRTC]

11. Proposed Bus Service Enhancement between
Gainesville and Washington, D.C.

Commissioner Covington moved, with a second by Commissioner Miller, to authorize the implementation of the recommended alternative to offer some bus service enhancement for Haymarket/Gainesville area residents, and further authorized management to negotiate a resumption of the Gainesville United Methodist Church lease and execute same. There was no discussion on the motion. (COVINGTON\MILLER, UNANIMOUS)

RES 10-07-23
[PRTC]

12. Pentagon Enhanced Security Plan Reactions.

Mr. Harf noted that a "blue-sheeted" letter is before the Commission to account for a meeting that is now scheduled to occur on July 15th with Pentagon officials.

Commissioner Caddigan moved, with a second by Commissioner Principi, to authorize the transmittal of the Commission's reactions to the DOD plan for enhanced security in the vicinity of the Pentagon Bus Bays. There was no discussion on the motion. (CADDIGAN\PRINCIPI, UNANIMOUS)

RES 10-07-24
[PRTC]

13. Intercity Rail Funding Study Comments.

Commissioner Caddigan moved, with a second by Commissioner Principi, to authorize the transmittal of a letter to VDRPT Director Thelma Drake describing the Commission's views on the study. There was no discussion on the motion. (CADDIGAN\PRINCIPI, UNANIMOUS)

RES 10-07-25
[PRTC]

14. Purchase Additional Video Camera Systems for
PRTC Buses from Apollo Video Technology.

Commissioner Caddigan moved, with a second by Commissioner Principi, to authorize the purchase of additional video cameras for fifteen (15) PRTC buses from Apollo Video Technology, in the amount of \$104,275. There was no discussion on the motion. (CADDIGAN\PRINCIPI, UNANIMOUS)

[PRTC\Info]

C. Information Items:

1. DRPT Monthly Statewide Transit Ridership Report. There were no comments.
2. DRPT Monthly Amtrak Performance Report. There were no comments.
3. Customer Satisfaction Survey (June 2010). There were no comments.
4. PRTC Service Performance Reports. There were no comments.
5. PRTC Budget-to-Actual Comparison. There were no comments.
6. Communications:
 - a. Related to Funding. There were no comments.
 - b. Related to Jurisdiction. There were no comments.
 - c. General Interest. There were no comments.

13. OTHER BUSINESS/COMMISSIONERS' TIME

To bridge the gap until Prince William County completes parking construction at the VRE Broad Run Station, Vice Chairman Way announced that the City of Manassas has made available thirty-three parking spaces to ease the parking shortage.

14. ADJOURNMENT

There being no further business to come before the Commission, Chairman May adjourned the meeting at 8:25 p.m.

NEXT MEETING: Thursday, September 9, 2010, 7:00 p.m.

LOCATION: PRTC Transit Center
14700 Potomac Mills Road, 2nd Floor
Woodbridge, VA 22192-6811
Main #: (703) 583-7782
Fax #: (703) 583-1377
www.PRTCtransit.org